

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
April 27, 2022  
7:00 PM**

**Present:**

H. Charles Wilson III, Chairman  
Richard Marino, Vice Chairman  
Kristin Warner, Treasurer  
Joyce F. Snyder, Asst. Treasurer/Asst. Secretary

**Staff:**

Donald D. Delamater, Township Manager  
Jack Dooley, Esq., Township Solicitor  
Mary Stover, Township Engineer  
Niral Modi, IT Staff  
Timothy Troxel, Chief of Police

**Absent:**

Laura Smith, Secretary

**Present Remotely:**

Colleen Ehrle, Manager of Administration, Communication & Human Resources

Chairman Wilson called the meeting to order at 7:02 PM and led the assemblage in the Pledge of Allegiance.

**Opening Comments**

Chairman Wilson made the following announcements:

- The meeting is being held in person at the Township's Meeting Hall and also provided via Zoom for residents unable to attend in person. As accorded by law and notice, public comments submitted by 4:30 pm on the meeting day will be read at the start of the meeting. For those physically present, public comment is available at the start of the meeting.
- Mark your calendars for Saturday, May 21<sup>st</sup> from 12 pm – 4 pm for our annual Towamencin Community Day at Fischer's Park. New this year is Ax Throwing. The event includes live music, activities for the family, food court, and an array of vendors and local community groups. This is a great event for the whole family and residents of all ages.
- The Board's May 11<sup>th</sup> regular public meeting will be held at the Dock Mennonite Academy Auditorium at 7pm, due to the anticipated turnout for the sewer sale decision agenda item.
- The Board met in executive session prior to this evening's meeting to discuss legal matters.

- Two new items were added to sewer system webpage/data room at the request of residents Martin Cohen and Kofi Osei.

### **Public Comments**

Chairman Wilson read the emailed submissions, with summaries below.

Sandra Greene, 7303 Encampment Road, expressed her opposition to selling the sewer system, noting the long-term impacts to the financial health of residents to fund short-term needs. She critiqued the Township's spending on unnecessary projects, requesting the need for fiscal integrity.

Tina Gallagher, 117 Misty Meadow Lane, expressed her disappointment to see four supervisors declare their allegiance to a predatory energy company over the concerns of the residents. She stressed the impact to seniors, and all Township residents, and questioned the Board's concern.

Michael Cunningham, 1 Old Dutch Road, stressed the irreversibility of the pending sale, being uncomfortable with an out-of-state company maintaining the system. He questioned the motives of futures Boards and their spending. He stressed this is a huge decision and it seems most of your constituents are against it. Represent us and vote against the sale, please!

Jack Sisko, 1104 Amber Lane, noted his change of opinion after watching the second town hall and the analysis presented, along with Supervisor Marino's explanation. He thanked the Board and looks forward to the benefits of a sale.

Joe and Monica Catanzaro, 1064 Snyder Road, expressed their support for the sewer system sale, adding the Board has proven they done their research and due diligence to provide clear and concise information for their reasoning behind supporting a sale. The majority of the board feels the sale of the sewer treatment plant is a positive for the Township.

Joseph Toner, 1904 Stratton Drive, stated he was appalled 4 of the 5 supervisors are supporting the sale of the sewer and the opposing supervisor is a Democrat. Long term this will hurt every resident. While a registered Republican, he will not vote for those in favor of a sale.

Lisa Lieb, 2000 Kriebel Road, questioned the real estate tax increase projections. She stated she would rather have a higher tax bill, possibly claiming on my Federal tax return, over accepting the purchase price by NextEra.

Michael Miller, 2038 Spring Valley Road, noted his opposition to a sale and requested the Board provide a detailed financial plan of how the township plans to use sale proceeds. He questioned the decision evaluations of Supervisors Marino, Smith and Warner as they were not able to verify the number on slide 8 of the April 6<sup>th</sup> Town Hall.

Jenn Foster, 105 Concord Place, criticized the exploration/decision process of Supervisors Marino, Smith, Warner, and Wilson, and thanked Supervisor Snyder for her engagement. She noted the Town Halls were disrespectful, wasting residents' time with a bad sales pitch, continuing the sale will levy a back door tax to fund pet projects. She continued the proposed reserves will not be the only thing to remain in perpetuity, but also the exorbitant sewer rates for your friends and neighbors. She requested a new analysis be provided that incorporates the sewer rates should Clemens Food Group pull out of Towamencin, as understanding this impact is necessary for making this decision.

Vanessa Gaynor, 707 Woodlawn Drive, stated she is troubled by the four supervisors plan to sell the sewer system to NextEra and opposes the sale without further research, open discussion, and input from the community. She questioned the process was completed with appropriate due diligence.

Stephanie German, 1521 Kriebel Road, questioned the reasoning behind selling the sewer system and advocated a community vote, or merging with another municipality. She added the only people who said this is a good idea was the committee members. It didn't sound like the committee members really cared at all for the opinions of the audience.

Judy Cunningham, 1 Old Dutch Road, implored that the Board not to approve the sewer sale, referencing impacts to residents in other municipalities with similar sales, and added the majority of the constituents are opposed. She criticized the Board being blinded by money and the poorly constructed contract with PFM.

Gary Starkweather, 1503 Kriebel Road, questioned the Board's transparency and due diligence through the sewer system sale exploration. He requested the notifications methods for sharing information to residents and businesses and posed questions relating to the Board's evaluation process in reaching a decision.

#### In-Person Public Comment Summaries:

JoAnn Goble, 603 Heritage Drive, asked why Zoning Hearing Meeting minutes were not posted on the website. She then asked why do you want to sell the sewer to a company that is in bed with a slimy company like BlackRock.

Tina Gallagher, of 117 Misty Meadow Lane, reported safety issues she had recently observed in the Township, notably: 1) the difficulty of parents and children safely crossing Allentown Road during Walton Farm Elementary School's dismissal, 2) assisting a child who fell into the creek, falling off the fishing pier at Fischer's Park with parents close by, and 3) supporting posts at a pavilion in need of repair/replacement.

Tina noted the vague and foggy word/language used in the presentation at the two town hall meetings relating to the sewer system, criticizing the use of the term "objective assessment." She then referenced a recent Judge's recommendation to deny Aqua's bid to purchase Willistown Township's sewer system. She would support a tax increase to support public safety initiatives and the parks for the items noted.

Joseph Silverman, of 1325 Reiff Road, referenced his personal involvement in campaigning for Chairman Wilson and Thomas Hollenbeck in the primary of May 2001. He used excerpts from the campaign materials - we pledge to take a residents' first approach in the decision-making process. Mr. Silverman questioned the sincerity of the noted campaign promises.

Martin Cohen, of 18 Westhampton Way, acknowledged the safety concern along Allentown Road. He then emphasized the disconnect between the view of the influx of funds by the sewer sale's purchase price and the manner by which it will be paid for. He stressed residents should be expected to pay the whole amount back over time.

Gary Starkweather, 1503 Kriebel Road, questioned the notification process of the town halls, and noted his concerns on the level of due diligence and impartiality of PFM consultants when evaluating the monetization exploration of the sewer system. He noted Zoom viewers of Board

meetings can not actively participate in these meetings and wanted that disclosed more clearly. He further questioned the transparency in the evaluation process of the bid review.

James Collins, 596 Weikel Road, questioned the Board's reluctance in revealing their positions on a sale so late in the process, adding by not revealing this information, there was no opportunity for the public to respond to their considerations. He added NextEra is not only buying the sewer system, but by the high-price tag, they are buying the Board.

Bruce Bailey, 506 Monroe Drive, stated he had not been notified of the sale. He referenced NextEra low profits and that their stock is dropping. He advocated not selling the sewer system.

David McCreary, 1809 Hickory Way, criticized PFM's business model, predicated on a sale recommendation for their financial interest. He recommended the Board hire an independent consultant to produce an analysis as the numbers provided are not worth anything. He noted his concern that rate hikes will have negative impacts on future generations.

Kofi Osei, of 105 Cambridge Way, asked Township Manager Donald Delamater if he would like to express his opinion on privatization. Mr. Osei went on to pose several questions to the Board relating to the Township and TMA financials, decisions related to fiscal management by the Township, decisions to split UGTMA, and analysis information used to make decisions to sell the sewer systems. He announced he would continue to read literature relating to the sewer sale.

Solicitor Dooley recommended Mr. Osei cease reading documents in an attempt to disrupt the meeting. Mr. Osei asked what the line is for disruption and when would he be forced to end his comment, then continued to read the notification letter sent to residents, dated October 19, 2021.

Solicitor Dooley recommended the Board end the public comment session. Mr. Silverman started reading documents related to Forty Foot Road improvement projects, including the pedestrian bridge.

On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board approved closing the public comment session.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner  
Voting No: Joyce F. Snyder  
Abstaining: N/A  
Absent: Laura Smith

### **Zoning, Subdivision and Land Development**

#### **Resolution 22-10 and Resolution 22-11 – Preliminary and Final Land Development Plan Approval: Verus Partners Delp Drive**

On February 9<sup>th</sup>, March 23<sup>rd</sup>, and April 13<sup>th</sup>, this proposed land development application was reviewed by the Board of Supervisors. The applicant is proposing to construct a 267,648 square foot warehouse building with associated improvements including parking, interior circulation, exterior roadways and intersection, landscaping, sound management, stormwater management, public water and public sewer service. The preliminary and final plan approval resolutions have been prepared for the Board's consideration.

On a motion by Supervisor Marino, seconded by Supervisor Snyder, the Board approved Resolutions 22-10 and 22-11, Preliminary and Final Land Development Plan Approval: Verus Partners Delp Drive.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: Laura Smith

**ZHB 2022-02: 1432 Welsh Road - Special Exception to Change Non-conforming Use From Garden Center to Garden Center Plus Lawnmower Repair**

The property owner at 1432 Welsh Road submitted an application to the Zoning Hearing Board requesting a special exception to change the current non-conforming use from a Garden Center to a Garden Center, plus a lawnmower repair service.

It was the consensus of the Board not to send the Township Solicitor to appear before the Zoning Hearing Board on this application.

**Old Business**

**Multicultural Fair Update**

Last year, Carmina Taylor proposed the allowance of a county-wide multicultural event at Fischer's Park, making multiple presentations to the Board in 2021. The Board was receptive to the concept, and it was decided that the event would be held on Saturday September 17, 2022.

Ms. Taylor noted the proposed event now has a fiscal sponsor. She outlined the relationship between parties involved. The fiscal sponsor would be entrusted to collect and manage all sponsorship and other fundraising for the event. Ms. Taylor will serve as the event's organizer, coordinating all required services needed to hold the event. While the Township would serve as a co-host. She asked the Supervisors that any invitation to elected officials be in the form of a joint letter between her group and the Township. Chairman Wilson responded that could be accommodated.

**Veterans Memorial Park Master Plan Update**

The Township's Veterans Memorial Park Master Plan project continues to progress with monthly committee meetings and public input meetings. The project is being managed by Simone Collins

Peter Simone, the Township's Landscape Architect Consultant, provided an overview of the plan to date, where he reviewed: the project schedule, mission statement, the planning process to date, results of the public opinion survey, park site and existing conditions, preliminary concepts, refinements issues to consider, access challenges, and a draft concept plan. Mr. Simone then reviewed next steps and the upcoming meetings.

The Board thanked Mr. Simone for his presentation. Chairman Wilson complimented the plan.

### **New Business**

#### **Warrant List**

The April warrant list was presented for approval. On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board approved the warrant list in the amount of \$1,228,761.01.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: Laura Smith

#### **Finance Committee Report**

The Township Finance Committee meets monthly throughout the year and more often when needed. The Committee monitors economic indicators and the pulse of the Township's revenues and expenditures. They also address various requests and concerns that may arise. The Committee met on April 12<sup>th</sup>. Chairman Wilson provided the report.

##### **Fire Company Operational and Capital Plan/Needs**

A discussion was held with Fire Company representatives regarding the capital and operational needs of the Fire Company now and projected in future years. The primary long term needs of the Fire Company include:

- Main Fire Station upgrade/replacement to meet current and future needs/standards,
- Replacement of fire apparatus,
- Personnel compensation for incentive program and possible fire fighter employees.

#### **Public Works Committee Report**

The Public Works Committee meets on a monthly basis to review projects and identify deficiencies related to Township infrastructure, properties, and equipment. The Committee met on April 21st. Supervisor Marino provided the Committee's report with the following topics reviewed:

- 1540/1556 Kriebel Road storm sewer replacement project update
- Weikel Road Drainage /Pedestrian Walkway status update
- 1060 Valley Forge Road drainage concern – follow-up with PennDOT
- 2010 Trumbauer Road drainage concern – work update
- Central Drive Storm Sewer Repair Project – stormwater system capacity evaluation
- Orchard Lane Stormwater Pipe Relocation Project status update
- Bocci Court drainage discussion
- 2022 Paving and ADA Ramp Replacement Project update
- 2021 Road Paving Project Status
- Greenspace/landscape/signage improvements at PA Turnpike right-of-way areas update

- Storm sewer system - long-term maintenance plan update
- Allentown Road culvert replacement & coordination with 309 Connector Project
- Traffic calming handbook update
- Inglewood preliminary traffic evaluation update
- Municipal Complex Driveway lighting evaluation update
- Allentown Road/Walton Farm School Crosswalk
- Old Forty Foot/Rittenhouse Road Intersection
- No Litter Signs on Kriebel Road

Orchard Lane Stormwater Pipe Relocation Project – Engineering Proposal

The Township Engineer prepared a proposal to prepare the design and bid documents for the replacement/relocation of the storm sewer. The Committee requested that the Board consider approval of the CKS proposal for a lump sum fee of \$11,750.

On a motion by Supervisor Warner, seconded by Supervisor Snyder, the Board approved the CKS proposal for \$11,750.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
 Voting No: N/A  
 Abstaining: N/A  
 Absent: Laura Smith

2022 Paving and ADA Ramp Replacement Project – Discount to Property Owners

In preparation for the 2022 Paving and ADA Ramp Replacement Project, it was discovered that notification letters were not sent to affected property owners responsible for needed curb and pipe disconnection work prior to the project. In order to avoid project delays, the Committee discussed discounting the unit price to those affected given the limited timeframe for owners to contract the work themselves.

On a motion by Supervisor Snyder, seconded by Supervisor Marino, the Board approved offering affected residents a unit price discount, in coordination with the Township’s contract.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
 Voting No: N/A  
 Abstaining: N/A  
 Absent: Laura Smith

Police Department Overnight Travel Request

Chief Troxel is requesting approval for travel and overnight expenses for Sergeant Paul Wiechec to attend the Drug Recognition Expert Training and Certification Program to be held on May 2<sup>nd</sup> and 3<sup>rd</sup>. The training will be held in Philadelphia; the request for overnight accommodations is due to the extensive hours of the training and the post training paperwork required.

On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board approved the Police Department’s overnight travel request.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: Laura Smith

**Fire Police Request – Lansdale Memorial Day Parade**

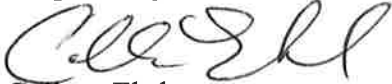
Lansdale Borough is requesting the assistance of the Towamencin Fire Company's Fire Police Unit on a mutual aid basis for traffic control at its Memorial Day Parade. The event will be held on Monday, May 30<sup>th</sup>, from 8:00 am to 11:00 am.

On a motion by Supervisor Warner, seconded by Supervisor Marino, the Board approved Lansdale Borough's Fire Police Request to assist with their Memorial Day Parade.

Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: Laura Smith

There being no additional business, the meeting adjourned at 9:27 pm.

Respectfully submitted,



Colleen Ehrle

Manager of Administration, Communication & Human Resources